

**Association of Public-Safety Communications Officials-International**  
**International Association of Chiefs of Police**  
**International Association of Fire Chiefs**

January 27, 2009

Honorable John D. Rockefeller  
Chairman  
U. S. Senate Committee on Commerce, Science & Transportation  
531 Hart Senate Office Building  
Washington, DC 20510

Dear Chairman Rockefeller:

We understand that the House of Representatives may today consider adoption of a DTV transition extension bill similar to the bill that passed in the Senate yesterday. We request that the following amendment be included in the final version of the bill:

Delete Section 4(b) from the bill as adopted in the Senate, and substitute the following:

PUBLIC SAFETY RADIO SERVICES.—Nothing in this Act, or the amendments made by this Act, shall prevent a public safety service licensee from commencing operations consistent with the terms of its license on spectrum recovered as a result of the voluntary cessation of broadcasting in the analog or digital television service pursuant to subsection (a). Any such public safety use shall be subject to the relevant Federal Communications Commission rules and regulations in effect on the date of enactment of this Act, including section 90.545 of the Commission's rules (47 C.F.R. § 90.545).

All 50 states and some local governments already have FCC licenses for 700 MHz spectrum. Thus, where a TV station chooses to turn off its analog signal "early," there is no need for a further FCC determination to allow public safety to operate on that channel pursuant to an existing license.

Although we have concerns about the impact of delaying the transition date on public safety, if this amendment is incorporated into the final version of the bill we would support passage of this legislation. We urge the Senate to accept this important modification on behalf of public safety.

Respectfully,

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